



## Justice et injustices spatiales, Nanterre 2008

### *Planning for Rights, Capabilities and Justice for the Urban Poor L'aménagement pour les droits, les possibilités et la Justice des pauvres urbains*

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Rights to develop and use land and properties for various purposes are enabled or constrained by city and regional planning policies. Statutory or non-statutory, development plans and development control regulations enacted by local planning authorities are expected to fairly distribute and regulate these rights through preconceived institutional mechanisms led by politicians and formally assisted by city planners. Planning is expected to reduce, if not completely eliminate basic inequalities of access to developed land, housing and infrastructure among people and places. Planning is also expected to be practiced in a manner that its outcomes are just, and capable of providing equality of opportunity to all citizens by enhancing their capabilities. Drawing on Amartya Sen and Martha Nussbaum, I will argue that one of the central orthodoxies of planning, therefore, has to be 'developing and enhancing capabilities'. More specifically, I will address this issue: whether planning policies enhance capabilities of the urban poor and thus make them capable of asserting their rights to access land, housing, transportation, and ultimately enable delivery of justice.

Statutory development plans are regarded as packages of entitlements in this paper whereby urban poor are specifically identified in terms of their land, housing and livelihood entitlements. If we view citizens who have entitlements, then policy and practice discourse begins to dramatically change. For example, with the 'just planning perspective' in mind, the people who immigrate to cities may not be regarded as unexpected encroachers, as they are now made out to be in the planning policies where eviction and resettlement become professed solutions. On the contrary, 'just planning' would treat immigrants as citizens with entitlements to get support for enhancing their capabilities. Then the immigrants would become expected citizens for whom land, housing and livelihood provisions must be ensured through implementation of development plans. Even at the present moment, master plans do make similar provisions, but do not extend planning practices towards enhancing capabilities. Emphasis is rather placed on the legality of shelter and livelihoods, which in fact is provided by the urban poor to themselves through their own efforts.

In this paper relationship between capabilities and rights is examined in order to understand whether planning really contributes to enhancing capabilities of the poor. Another concern is how capabilities get enhanced or reduced by planning. However, major contribution of this paper is to identify and develop the notions of rights and capabilities in urban planning by deploying the capability approach of Amartya Sen and Martha Nussbaum. This work also outlines a set of criteria for obtaining social justice for the urban poor in a given institutional context prior to proposing main features of 'just planning practice', which is strongly premised on the rights based planning framework.